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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,894	10/30/2003	Gary W. Ramsden	331235-00019	9250

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EXAMINER

SMITH, TRACI L

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/696,894

Applicant(s)

RAMSDEN ET AL.

Examiner

Traci L. Smith

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 78-80 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 78-80 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. This action is in response to papers filed on June 15, 2005.
2. Claims 1-76 and 78 have been cancelled.
3. Claim 77 has been amended.
4. Claims 77, 79-80 are pending.
5. Claims 77, 79-80 are rejected.

***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claim 77 recites the limitation "the package" and "parcel weight" on several occasions in steps. There is insufficient antecedent basis for this limitation in the claim. The claims should state "parcel or envelope weight" and "the package" should state "the parcel or envelope" to be consistent.

8. Claim 77 also recites the limitation "the delivery service" in the last line of the claim. There is insufficient antecedent basis for this limitation in the claim. The limitation should read "The delivery service option" again to maintain consistency.

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

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the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

11. Claim 77 and 80 are rejected under 35 U.S.C. 103(a) as being unpatentable over

US Patent 4,923,022; Hsieh; Automatic mailing apparatus and further in view of US

Patent 5,065,000 Pusic Automated Electronic Postage Meter Having a Direct Access

Bar Code Printer.

12. As to claim 77 teaches a machine for mailing envelopes

- a. Receiving payment(C. 4 I. 14-17)
- b. Scale for weighing envelope and identifying weight(C. 3 I. 35)
- c. Type of mail service available displayed(C. 4 I. 1-3).
- d. User selects delivery option and enters delivery information( C. 4 I. 4-5).
- e. Computes a cost for delivery(C. 4 I. 9-11).

Hsieh teaches stamping the envelope with postage but fails to teach printing a

bar code label and receipt of purchase. Pusic teaches an automated electronic

postage meter with a printer that prints both bar codes and receipts. (C. 3 I. 67-

68; C. 4 I. 1-4). It would have been obvious to one skilled in the art at the time of

invention to combine the teachings of Pusic with Hsieh so as to allow for quicker

delivery with the use of reading a bar code and allowing the user proof of mailing the envelop.

13. As to claim 80 Hsieh teaches the payment means as a magnetic strip credit card reader(C. 4 I. 14-17).

14. Claims 79 rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 4,923,022; Hsieh; Automatic mailing apparatus and further in view of US Patent 5,065,000 Pusic Automated Electronic Postage Meter Having a Direct Access Bar Code Printer.as applied to claims 78 and 80 above, and further in view of US Patent 4,836,352 Tateno; Express Package Collection Locker

15. As to claim 79 Hsieh and Pusic teach an automated postage machine, however they fail to teach the input means as a touch screen. Tateno teaches a touch screen in order enter destination information(C. 5 I. 15-20). It would have been obvious to one skilled in the art at the time of invention to combine the teachings of Tateno with Hsieh and Pusic so as to have an alternative means of inputting information that can withstand the element of the environment in which the kiosk is located.

### ***Conclusion***

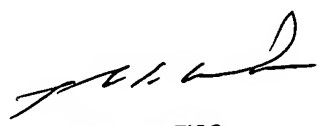
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Traci L. Smith whose telephone number is 572-272-6809. The examiner can normally be reached on Monday-Thursday 6:00 am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 571-272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TLS



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